

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS,
MADELINE KRASNO, and RYAN
HARTKOPF,

Appellants,

v.

LAWRENCE A. TABAK, in his
official capacity as Acting Director of
the National Institutes of Health, and
XAVIER BECERRA, in his official
capacity as Secretary of the U.S.
Department of Health and Human
Services,

Appellees.

Case No. 23-5110

**APPELLANTS' CERTIFICATE AS TO PARTIES, RULINGS, AND
RELATED CASES**

Pursuant to D.C. Circuit Rule 28.1(a)(1), Appellants submit this Certificate as
to Parties, Rulings, and Related Cases.

(A) Parties and Amici. Appellants, who were plaintiffs in the district court,
are People for the Ethical Treatment of Animals, Inc. (PETA), Madeline Krasno,
and Ryan Hartkopf. Appellees, who were defendants in the district court, are
Lawrence Tabak, in his official capacity as Acting Director of the National Institutes
of Health, and Xavier Becerra, in his official capacity as Secretary of the U.S.

Department of Health and Human Services. No *amici* or intervenors appeared in the district court or in this appeal to date.

(B) Rulings under Review. On March 31, 2023, United States District Judge Beryl A. Howell issued a memorandum opinion and order denying Plaintiffs–Appellants’ motion for summary judgment and granting Defendants–Appellees’ cross-motion for summary judgment. *People for the Ethical Treatment of Animals v. Tabak*, No. 21-cv-2380 (D.D.C. Mar. 31, 2023), ECF Nos. 43, 44. The March 31, 2023 opinion is not published in the federal reporter but is available at 2023 WL 2809867 and is attached to Appellants’ Notice of Appeal, which was entered on this Court’s docket on May 16, 2023.

(C) Related Cases. The appealed ruling has not previously been before this Court or any other court. There are no related cases pending before this Court or any other court of which counsel is aware.

Dated: June 15, 2023

Respectfully submitted,

/s/ Stephanie Krent

Stephanie Krent
Alexia Ramirez
Katherine Fallow
Jameel Jaffer
Knight First Amendment Institute
at Columbia University
475 Riverside Drive, Suite 302
New York, NY 10115
(646) 745-8500

stephanie.krent@knightcolumbia.org

Counsel for Appellants

/s/ Christopher A. Berry

Christopher A. Berry
Animal Legal Defense Fund
525 E. Cotati Ave.
Cotati, CA 94931
(707) 795-2533 ext. 1041
cberry@aldf.org

Caitlin M. Foley
Animal Legal Defense Fund
150 South Wacker Drive, Suite 2400
Chicago, IL 60606
(707) 795-2533 ext. 1043
cfoley@aldf.org

*Counsel for Appellants Madeline
Krasno and Ryan Hartkopf*

Asher Smith
Jeffrey Stein
People for the Ethical Treatment of
Animals, Inc.
1536 16th Street NW
Washington, DC 20036
(202) 483-7382
AsherS@petaf.org

*Counsel for Appellant People for the
Ethical Treatment of Animals, Inc.*